

Area North Committee – 24 April 2013

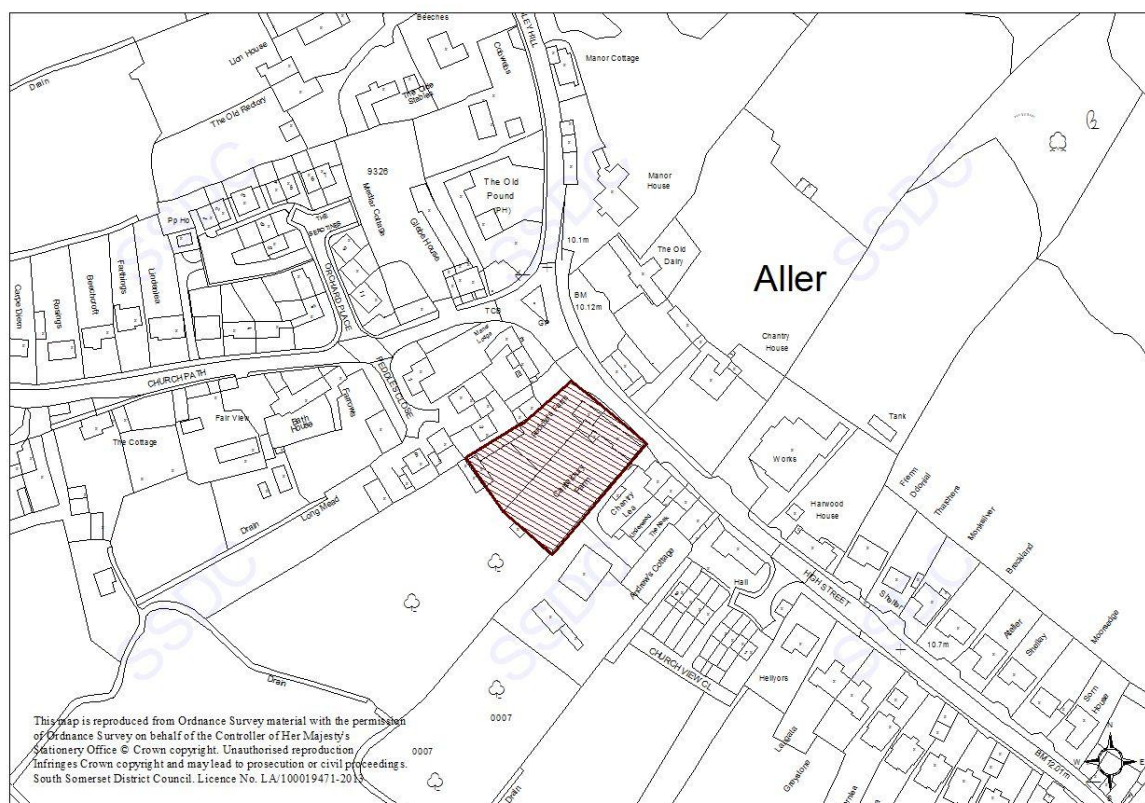
Officer Report On Planning Application: 13/00329/S73A

Proposal :	Section 73 application to vary condition 2 of planning permission 12/03513/FUL: The development hereby permitted shall be carried out in accordance with the following approved plans: 110RevD, 111RevC, 112RevD, 113RevB, 115RevA 116RevB, 117RevB, 118, 119 and 001. (GR 340058/129187)
Site Address:	Canterbury Farm, Aller, Langport
Parish:	Aller
TURN HILL Ward (SSDC Member)	CIr Shane Pledger
Recommending Case Officer:	Lee Walton Tel: (01935) 462324 Email: lee.walton@southsomerset.gov.uk
Target date :	27th March 2013
Applicant :	Mr Shane Pledger
Agent: (no agent if blank)	Mr Shaun Curtis, Motivo Alvington, Yeovil, Somerset BA20 2FG
Application Type :	Minor Dwellings 1-9 site less than 1ha

REASON FOR REFERRAL TO COMMITTEE

The applicant is a Member of the District Council and in accordance with the Council's scheme of delegation the application is brought to committee.

SITE DESCRIPTION AND PROPOSAL



Canterbury Farm is a grade II listed building designated 17 April 1959. The property is a two-storey detached farm house constructed predominantly in local lias stone cut and squared, elements of cob wall and modern reconstructed stonework, with a thatched roof. The house is one of several roadside residential properties within the settlement of Aller, a village in the countryside.

Full planning permission (12/03513/FUL) has been granted on the site for alterations, repair and extensions to the existing dwelling and the erection of a new dwelling. The current application seeks to vary condition 2 (approved drawings). In detail the proposal seeks work restricted to the principal listed building. This includes:

- additional window in rear elevation, thatched dormer
- alterations to replace the garage floor area with glazed screen to extend the habitable floor space

An application for Listed Building Consent is considered concurrently.

HISTORY

13/00330/LBC - Alterations to existing dwelling: new extension ground floor changed from a garage to living accommodation; garage doors amended to a glazed screen with opening light for escape in case of fire. New window to bedroom 4 with thatched eyebrow over. Pending.

12/03513/FUL - Alterations, repair and extensions to existing dwelling and the erection of a new dwelling. Approved.

12/03414/LBC - Alterations, repair and extensions to existing dwelling and the erection of a new dwelling. Approved.

12/02940/LBC - Internal and external repairs and alterations to property to include new roof structure and re-thatching, rebuilding of removed chimney and installation of replacement windows. Approved.

03/03485/LBC - Erection of parish council notice board – Approved.

03/01799/FUL - Minor internal alterations and conversion of outbuildings to provide self-contained dependent relative's flat – Approved.

03/01801/LBC - Minor internal alterations and conversion of outbuildings to provide self-contained dependent relative's flat – Approved.

95/05008/LBC - The demolition of partially collapsed barn and the erection of 7ft high lapped panel timber fencing - Reg3 County (SSDC raise no objections) 12/06/1995

POLICY

Section 38(6) of the Planning and Compulsory Purchase Act 2004 repeats the duty imposed under S54A of the Town and Country Planning Act 1990 and requires that decision must be made in accordance with relevant Development Plan Documents unless material considerations indicate otherwise.

Relevant Development Plan Documents:
 South Somerset Local Plan
 Policy EH3 Listed Buildings
 Policy EH5 Setting of Listed Buildings
 Policy ST5 - General Principles of Development
 Policy ST6 - The Quality of Development
 Policy EH1 Conservation Area
 Policy EH12 Area of High Archaeological Potential

Regard shall also be had to:
 National Planning Policy Framework (March 2012):
 Chapter 6 - Delivering a Wide Choice of High Quality Homes
 Chapter 7 - Requiring Good Design
 Chapter 12 - Conserving and Enhancing Historic Environment

South Somerset Sustainable Community Strategy

CONSULTATIONS

Aller Parish Council - raised no objections to the alterations to the previous plans and voted unanimously in favour of changes indicated on plans before them. The Council are content with further modifications to the design of windows in the rear of the roof to meet the requirements of the conservation officer.

Conservation Officer - Supports subject to condition detailing further the finishes of the glazed opening and its setting back in the opening.

Highway Authority - To re-attach any highway conditions.

Area Engineer - No comment.

REPRESENTATIONS

None.

CONSIDERATIONS

The main considerations include the principle of development, character and appearance, highway safety and neighbour amenity.

Principle of Development

In order to introduce greater flexibility, the General Development Procedure Order was modified to allow applications for minor material changes to be made to modify a development after planning permission has been granted. This flexibility was achieved by making changes to Section 73 of the 1990 Act, which allows changes to conditions applying to existing permission. This allowed a condition listing the approved plans could be amended to refer to revised plans showing minor alterations. As the granting of a Section 73 application has the effect of creating a new grant of planning permission all conditions need to be re-imposed and or modified to reflect in this case previous details agreed to involving the discharge of planning conditions that were attached to the 2012 permission.

Character

The alterations are restricted to a thatched dormer and the replacement of garage doors with a large glazed opening. Both alterations are within the rear elevation. The Conservation Officer requests a condition requiring further details of the glazed opening and is supportive of the changes that are considered continues to preserve the character of the listed building.

Highway Safety

Conditions are proposed to be re-attached from the previous permission. Sufficient parking is provided on site with access to the detached covered parking area provided for the occupants of the principle listed building. The Highways Officer does not raise any issue with the loss of the garage parking.

Neighbour amenity

The alterations are considered would not result in any harmful impact for adjacent occupants.

RECOMMENDATION

Agree variation of condition 2.

01. The proposal, by reason of its materials and design is considered to respect the historic and architectural interests of the building, has no significant effect on residential amenity or impact on highway safety in accordance with policies STR1 and 9 of the Joint Structure Plan Review, and ST6, EH3 and EH5 of the South Somerset Local Plan, and the provisions of the NPPF.

SUBJECT TO THE FOLLOWING:

01. The development hereby permitted shall be begun before the expiration of three years from 29 November 2012.

Reason: To accord with the provisions of section 91(1) of the Town and Country Planning Act 1990.

02. The development hereby permitted shall be carried out in accordance with the following approved plans: 117RevB, 116RevB, 115RevA, 113RevB, received 22 October 2012, 119 and 118 received 11 September 2012, and 111RevC, 110RevD and 001 received 28 January 2013, and 112RevD received 11 February 2013.

Reason: For the avoidance of doubt and in the interests of proper planning.

03. Details of the finished ground floor level of the dwelling permitted shall accord with the details submitted as part of the application to discharge conditions validated 10 December 2012 and confirmed by the Council's letter dated 17 January 2013.

Reason: To enable the Local Planning Authority to retain adequate control over proposed floor levels, in the interests of neighbour amenity, further to policy EH5 and ST6 of the South Somerset Local Plan.

04. Boundary walls shall retain their existing heights on site.

Reason: In the interests of neighbour amenity further to policy ST6 of the South Somerset Local Plan.

05. Details of the following:
- a. materials to be used for the external walls and roofs;
 - b. the mortar mix, pointing and coursing of the external walls shall accord with the sample panel on site;
 - c. the recessing, materials and finish to be used for all new windows and doors;
 - d. coping finishes of boundary walls
 - e. all hardstanding
 - f. rainwater goods and eaves and fascia details and treatment.
 - g. the provision of meter boxes

shall accord with the particulars included in the application to discharge conditions validated 10 December 2012 and confirmed by the LPA in its letter dated 17 January 2013.

Reason: To safeguard the character and appearance of the area in accordance with saved policies ST5, ST6, EH3 and EH5 of the South Somerset Local Plan.

06. Details of the parking and turning area shall accord with the approved drawing no. 200A received 6 December 2012. Such details shall be undertaken as part of the development hereby permitted and thereafter retained.

Reason: In the interests of highway safety further to policy 49 of the Somerset and Exmoor National Park Joint Structure Plan and policy ST5 of the South Somerset Local Plan.

07. Visibility at the vehicular access shall not be obstructed as measured 2.4m back from the highways edge with parallel splays (with no obstruction greater than 900mm above adjoining road level) across the entire site frontage.

Reason: In the interests of highway safety further to policy 49 of the Somerset and Exmoor National Park Joint Structure Plan and policy ST5 of the South Somerset Local Plan.

08. The new dwelling permitted by this permission shall not be first occupied before works to the listed building have been completed to the satisfaction of the Local Planning Authority in accordance with Listed Building Consent refs:12/02940, 12/03514 and 13/00330.

Reason: Permission would not be given for a new dwelling without the need to secure the long term future of the listed building.

09. Full particulars of the glazed opening and its reveal within the opening shall be submitted to and agreed in writing by the LPA within 3 months of the decision. Such details as agreed shall be undertaken on site as part of the development.

Reason: In the interest of the character of the listed building further to policy EH3 of the South Somerset Local plan.